

ESTTA Tracking number: **ESTTA353174**Filing date: **06/16/2010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Donald Mlynek		
Entity	Individual	Citizenship	UNITED STATES
Address	6994 El Camino Real, #204 Carlsbad, CA 92009 UNITED STATES		

Attorney information	Kenneth Lynch 6994 El Camino Real, #204 Carlsbad, CA 92009 UNITED STATES lynchlaw@roadrunner.com Phone:760-931-0030
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**Registration Subject to Cancellation**

Registration No	3805112	Registration date	06/15/2010
Registrant	Combat Medical Systems, LLC 6441 Yadkin Road Fayetteville, NC 28303 UNITED STATES		

**Goods/Services Subject to Cancellation**

Class 035. First Use: 2008/03/01 First Use In Commerce: 2008/05/27 All goods and services in the class are cancelled, namely: online mail order catalog services and online retail store service both featuring a wide variety of combat casualty care medical goods, supplies, and equipment
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**Grounds for Cancellation**

Priority and likelihood of confusion	Trademark Act section 2(d)
Related Proceedings	Opposition to Registration of Combat Medical Systems, Serial Number 77931466

**Mark Cited by Petitioner as Basis for Cancellation**

U.S. Registration No.	3780231	Application Date	04/01/2009
Registration Date	04/27/2010	Foreign Priority Date	NONE
Word Mark	COMBAT MEDICAL LLC		

Design Mark		
Description of Mark	The mark consists of a black globe with green land masses. The globe is encircled by three concentric rings that are colored red, white and blue. The wording "COMBAT MEDICAL" is offset to the left and tilted under the globe. The letters "LLC" are placed to the lower right side of the "L" in "MEDICAL". All wording is in green outlined in white. The entire mark is within a black square.	
Goods/Services	Class 010. First use: First Use: 2008/04/01 First Use In Commerce: 2008/04/01 Medical bags sold empty	

Attachments	77704258#TMSN.jpeg ( 1 page )( bytes ) Combat Medical 2.pdf ( 1 page )(11814 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/kenneth lynch/
Name	Kenneth Lynch
Date	06/16/2010

Opposer, Don Mlynek, owner of the registered mark Combat Medical, LLC, has prior rights and the use of the Combat Medical Systems mark is likely to cause confusion under Section 2(d) of the Lanham Act.